



# INDIANA DEPARTMENT OF TRANSPORTATION

*Driving Indiana's Economic Growth*

## Memorandum

April 29, 2010

### CONSTRUCTION MEMORANDUM 10-05

TO: District Deputy Commissioners  
Technical Services Directors  
District Construction Directors  
District Testing Engineers  
District Area Engineers  
Project Engineers/Supervisors  
Office of Materials Management

FROM: *for* Mark A. Miller, Director   
Division of Construction Management

SUBJECT: Project Commitments Database

SUPERSEDES: Construction Memorandum 09-22

The instructions for the Commitment report previously communicated in Memo 09-22 have been revised. The purpose of the commitment report is to make the district construction staff aware of all commitments that have been made and implemented in the contract documents.

A commitment is an agreement between the Department and an outside party, such as a regulatory agency, a utility, a landowner or the general public, that specific actions will be taken as part of a project.

It is the Department's intent that the commitments will be incorporated into the contract documents by the designer by means of appropriate pay items, plans, specifications and special provisions and that the commitments will be carried out during construction unless otherwise approved through the Project Manager (PM). The commitments that are marked with a "YES" in the "Attn?" column, have been incorporated in the contract and are being brought to the attention of the Project Engineer/Supervisor (PE/S).

Previously the instructions were that the PM would provide a copy of the commitment report to the Area Engineer (AE). The commitment reports have now been included in the letting documents available on the Department's website. **The AE and PE/S will need to obtain a copy of the commitments report from the website.** The commitments report is to be discussed at the pre-construction conference, as previously instructed. The commitments report has also been modified to include a signature block for the AE or PE/S to sign at the completion of the contract. **A signed copy of the report is to be included in the final construction record.**

The AE and PE/S need to review the commitments prior to authorizing any change to the contract to ensure that a commitment is not inadvertently overlooked and disregarded due to the change.

As is true for all change orders, the PM is to be advised of all proposed changes to the contract that will affect the commitments by the PE/S through an email or other written communication providing a brief summary of the change, before the change is made.

If you should have any questions on this issue please direct them to your Construction Management Field Engineer.

MAM/GGP

# Project Commitment Database Procedure

## p 1: Commitment Proposal:

A proposed commitment is brought to the attention of the INDOT Project Manager or Designer for review.

## Step 2: Data Entry:

2a: If the proposed commitment is due to a legal requirement then the commitment is entered into the database. Environmental commitments will be entered into the database by a member of the environmental staff, either from Central Office or the District. All other commitments will be entered into the database by the Project Manager or their designee.

2b: If the proposed commitment is **not** a legal requirement then the terms of the commitment must be discussed with the appropriate parties, including the Project Manager, to determine if the proposed commitment should be included in the project. If the commitment is determined to be necessary, it is entered into the database.

## Step 3: Communication:

If a commitment is entered into the database by a person other than the Project Manager, then an email must be sent notifying the Project Manager. The notification must identify the DES number to which the commitment has been added. The Project Manager must ensure that all affected parties are informed of commitment additions, changes or deletions.

## Step 4: Commitment Status:

- **Required/For Consideration:** A status of Required or For Consideration, will be selected from a drop down list in the database spreadsheet. **Required** indicates that the commitment is due to a legal requirement. **For Consideration** indicates the commitment is desirable, but is not required by law.
- **Implement During Project Development:** indicates whether or not the commitment should be taken into account during the design of a project for eventual inclusion in the contract documents. If it is determined that a required commitment will not be implemented, then the party that originally made the commitment as recorded in the database must be notified.
- **Attention to Construction:** The default value for this field is "No". The field may only be changed to "Yes" by the Project Manager, if attention to the commitment by construction personnel at the preconstruction conference is warranted.

Once a commitment has been reviewed and it has either been implemented in design for inclusion in the contract documents or determined to be not applicable then the Project Manager will:

1. Input a summary of the action taken into the Notes field
2. Change the status of the commitment in the database

## Step 5: Periodic Review:

The Project Manager and the designer will review the commitments database at regular intervals. An updated commitments list with current status will be included with ERMS submittals at Stage 1, Preliminary Field Check, Stage 2, Final Field Check, Stage 3/Final Check Prints and Final

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Tracings. Additionally, the commitments should be reviewed by the Area Engineer at Stages 1, 2 and 3.

***NOTE: The last review of commitments must be made no later than 6 weeks prior to letting. New commitments may be entered up until that date, but should only be added if they are of an urgent nature since the development of contract books has already begun by this time. Inclusion of a commitment after RFC requires a revision to the contract and is strongly discouraged unless vital to the project.***

**Step 6: Preconstruction Review**

A list of all commitments that are applicable to the project, including a note about how each has been addressed in the contract documents, will be provided to the Area Engineer by the Project Manager prior to Letting for inclusion in the preconstruction conference.

**Step 7: Construction Responsibilities**

The Project Engineer/Supervisor will maintain a copy of the list of commitments at the field office. The list must be referenced when contract changes are necessary to ensure that any changes to the original contract take the commitments into consideration. The list must be produced upon request during any quality assurance review.